

## REMARKS

### *Status of the Claims*

Claims 1 and 3-31 are pending with Claims 1, 11, 18 and 25 being independent. Claims 1 and 4 have been amended. Claims 11-31 are withdrawn from consideration. Support for the claim changes can be found in the original disclosure, for example in Figure 16 and the accompanying description, and therefore no new matter has been added.

### *Requested Action*

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding objection and rejections in view of the foregoing amendments and the following remarks.

### *Specification Objections*

The Brief Description of the Drawings in the specification is objected to for lacking a description of Figures 31a and 31b and because each of Figures 16, 16a, 16b, 20, 20a, 20b, 28, 28a, 28b, 32, 32a, 32b should have separate descriptions. In response, this section of the specification has been revised to address the points raised by the Office Action. Therefore, Applicants respectfully request that the objections be withdrawn.

### *Claim Rejections*

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0071689 (Miyamoto). Claims 1 and 3 have also been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyamoto in view of U.S. Patent No. 7,274,884 (Yamauchi).

In response, while not conceding the propriety of the rejections, independent Claim 1 has been amended. Applicants submit that as amended, Claim 1 is allowable for the following reasons.

Independent Claim 1 relates to an image forming apparatus operable in a first image formation mode for forming an image on an image bearing member by using developer under a first predetermined image forming condition and a second image formation mode for forming an image on an image bearing member by using developer under a second image forming condition which is different from the first predetermined image forming condition and is set so that an amount of consumption of developer with respect to an identical image in the second image formation mode is smaller than that in the first image formation mode. The apparatus comprises a storing device, an image processing controller configured to discriminate a size of a concentrated pixel area in image information when the second image formation mode is set, and a controller configured to set the image forming apparatus in the first image formation mode or the second image formation mode.

Claim 1 has been amended to recite that the storing device is configured to store threshold information on an amount of usage of the image bearing member.

Claim 1 has also been amended to recite that the controller, in a state in which the controller is configured to set the image forming apparatus in the second image formation mode, switches the second image forming condition when the amount of usage of the image bearing member reaches a predetermined threshold represented by predetermined threshold information on the basis of a discrimination result of the image processing controller.

By this arrangement, it is possible to decrease the amount of consumption of a developer while keeping a stable image irrespective of the amount of usage of an image bearing member. This advantage is achieved by switching a low-consumption-condition in a low-consumption mode based on image-bearing-member usage.

In contrast, the citations to Miyamoto and Yamauchi are not understood to relate to an apparatus in which a low-consumption-condition is switched in a low-consumption mode based on image-bearing-member usage. Therefore, these citations are not understood to disclose or suggest that a controller, in a state in which the controller is configured to set the image forming apparatus in a second image formation mode (for forming an image on an image bearing member by using developer under a second image forming condition which is different from a first predetermined image forming condition in a first image formation mode and is set so that an amount of consumption of developer with respect to an identical image in the second image formation mode is smaller than that in the first image formation mode), switches the second image forming condition when the amount of usage of the image bearing member reaches a predetermined threshold represented by predetermined threshold information on the basis of a discrimination result of the image processing controller, as recited by amended Claim 1. Rather, the Miyamoto

citation is understood to merely disclose an image forming apparatus operable in a standard image formation mode and a toner-saving mode selectable through an operation panel (Figure 22). The Miyamoto citation is not understood to teach or suggest the storing of the above-described usage amount threshold information or the switching of the second image forming condition in a second image formation mode when image-bearing-member usage reaches a predetermined threshold. And the Yamauchi citation is understood to merely disclose an image forming apparatus in which the DC component of the charge bias and the DC component of the development bias can be switched as the cumulative amount of drum usage reaches a threshold stored in a memory, as discussed at column 8, lines 31-37.

However, the Yamauchi citation is not understood to disclose or suggest that the image forming apparatus is operable in first and second image formation modes, as recited by amended Claim 1, and therefore, this citation is not understood to disclose or suggest an apparatus, operable in high and low consumption modes, in which a low-consumption-condition is switched in a low-consumption mode based on image-bearing-member usage.

Since these citations are not understood to disclose or suggest at least one feature of amended Claim 1, the Office is not understood to have yet satisfied its burden of proof to establish anticipation of amended Claim 1 over the Miyamoto citation or to establish a prima facie case of obviousness against amended Claim 1 over the citations to Miyamoto and Yamauchi, since MPEP § 2142 requires the cited art to disclose or suggest *all* the claimed features to establish a prima facie case of obviousness. For these reasons, Applicants respectfully request that the rejection of amended Claim 1 be withdrawn.

The examined dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

### *Conclusion*

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gary M. Jacobs/

---

Gary M. Jacobs  
Attorney for Applicants  
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
GMJ/klm